



5-1

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

TO: PLANNING COMMISSION

FROM: BILL ROBESON, PROJECT/EIR MANAGER

VIA: PAT BECK, ASSISTANT PLANNING DIRECTOR

DATE: MAY 25, 2006

SUBJECT: The appeal by Mr. Dylan Hyde of the Planning Director's determination has been **withdrawn** (see attached hand written letter from Mr. Hyde). The appeal concerned the Planning Director's determination that a Medical Marijuana dispensary is equivalent to a "Health Care Service" as defined by Title 22, Land Use Ordinance. The proposed Medical Marijuana dispensary was to be located at 3850 Ramada Drive Suite B5, Templeton, California. Supervisorial District #1.

SUMMARY

Since a "Request for Interpretation" has been asked for by the Department of Planning and Building regarding the establishment of Medical Marijuana dispensaries, the appeal is no longer necessary. The reason for this is that according to Section 22.02.030, the Board of Supervisor's makes the final decision and interpretation on a given matter. The "Request for Interpretation" is the governing process by which a decision will be made regarding the establishment of all Medical Marijuana in the County. An appeal will simply wait for the Board of Supervisor's interpretation and decision, which is final.

RECOMMENDATION

Recognize the withdrawal of the appeal and move forward with the interpretation procedure.



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5-2

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING COMMISSION

MEETING DATE May 25, 2006	CONTACT/PHONE Bill Robeson, Senior Planner 805-781-5607	APPLICANT Dylan Hyde	FILE NO. N/A
SUBJECT			
Hearing to consider withdrawal of an appeal by Dylan Hyde, North County Resource Center of a Planning Director Determination that a Medical Marijuana Dispensary is defined as a "Health Care Service" in Land Use Ordinance, Title 22 of the County Code. Health Care Services are not allowed in the Commercial Service zone. The original appeal was associated with a property in the Commercial Service zone, located at 3850 Ramada Drive inside the Templeton Urban Area.			
RECOMMENDED ACTION			
Recognize the withdrawal of the appeal and move forward with the interpretation procedure. .			
ENVIRONMENTAL DETERMINATION			
Not required			
LAND USE CATEGORY Commercial Service	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER 040-151-035	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: N/A			
EXISTING USES:			
Commercial Service Business Park			
SURROUNDING LAND USE CATEGORIES AND USES:			
<i>North:</i> Commercial Retail/vacant		<i>East:</i> Commercial Service/ PG& E yard	
<i>South:</i> Commercial Service/tractor/ Ag. Equipment sales		<i>West:</i> Ramada Drive and Highway 101	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:			
Sheriff's Department, Public Health Department, County Counsel, Templeton Advisory Group			
TOPOGRAPHY: Nearly level		VEGETATION: Ornamental landscaping	
PROPOSED SERVICES: Water supply:Community Sewage Disposal:Community Sewer Fire Protection: TCSD		ACCEPTANCE DATE: March 8, 2006	
 ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			